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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

HAIQI CHEN,

Plaintiff,

v.

United States Citizenship and Immigration
 Services ("USCIS"); Department of Homeland
 Security ("DHS"); Department of Justice
 ("DOJ"); Federal Bureau of Investigation ("FBI"),
 Defendants.

No. C 07-2462 SC

DEFENDANTS' REPLY

Date: November 16, 2007
 Time: 10:00 a.m.

The defendants recognize that this Court has recently rejected the defendants' arguments that courts lack jurisdiction under the mandamus statute and the APA over actions alleging delays in the processing of an I-485 application, and the defendants' argument that 8 U.S.C. § 1252(a)(2)(B)(ii) strips courts of jurisdiction over discretionary decisions, including the timing of an adjudication of an I-485 application. *See Soneji v. DHS*, 07-2290-SC, 2007 WL 3101660 (N.D. Cal. Oct. 22, 2007). While the defendants respectfully disagree with this Court's analysis, they intend to demonstrate via a motion for summary judgment that any delay in the adjudication of plaintiff's I-485 application has been reasonable.

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2 Dated: November 2, 2007

Respectfully submitted,

3 SCOTT N. SCHOOLS
4 United States Attorney

5 /s/
6 EDWARD A. OLSEN
7 Assistant United States Attorney
8 Attorneys for Defendants
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REPLY
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